

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

CYNTHIA MCKNIGHT,

*Plaintiff,*

V.

THE PURDUE PHARMA COMPANY;	§
PURDUE PHARMA LP; PURDUE	§
PHARMA INC.; PURDUE FREDERICK	§
COMPANY; PF LABORATORIES INC.;	§
THE ABBOTT LABORATORIES; ABBOTT	§
LABORATORIES, INC.	§

*Defendants.*

Civil Action No. 9:04-CV-116

JUDGE RON CLARK

**ORDER DENYING PLAINTIFF'S MOTION TO EXTEND DEADLINES AND  
DENYING PLAINTIFF'S MOTION TO STAY**

Before the court are Plaintiff's Motion to Stay Proceedings [Doc. #119] and Plaintiff's Motion for Extension of Time to File Response/Reply [Doc. #121]. Plaintiff is seeking to stay the case until the Judicial Panel on Multidistrict Litigation decides on whether to establish an MDL for the drug OxyContin. Plaintiff filed their petition to the Judicial Panel on June 21, 2005.

This case was originally filed in the S.D. Illinois December 24, 2003. The case was transferred to the this court on June 23, 2004. A case management conference was held October 18, 2004. After having been on file in this court for over a year the Plaintiffs are only now seeking to have the MDL established. This coincidentally comes less than a week before the response to motion for summary judgment is due. There is no guarantee that this case will become an MDL, nor that the MDL panel will decide the question in the near future, as Plaintiff's counsel suggests in the motion to stay. This court is obligated to administer the Rules of

Procedure “to secure the just, speedy, and inexpensive determination of every action.” Fed. R. Civ. P. 1. Staying the case and potentially moving the trial date is not warranted at this juncture.

IT IS THEREFORE ORDERED that Plaintiff’s Motion to Stay Proceedings [**Doc. #119**] is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff’s Motion for Extension of Time to File Response/Reply [**Doc. #121**] is **DENIED as moot**. However, the court will move the deadline to file the summary judgment response to Friday July 9, 2005.

So **ORDERED** and **SIGNED** this **1** day of **July, 2005**.

A handwritten signature in black ink, appearing to read "Ron Clark", is positioned above a horizontal line.

Ron Clark, United States District Judge